IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Civil Revision No. 5069 of 2007
Date of decision: 4.10.2007

Kawaljit Kaur **...Petitioner**

Versus

Paramjit Kaur and others **...Respondents**

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL

Present: Mr. Anil Chawla, Advocate for the petitioner.

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RAJESH BINDAL, J.

The challenge in the present petition is to the order dated September 12, 2007 passed by the Court below closing the evidence of the petitioner/defendant as number of opportunities had already been availed of by the defendant.

2. For the view I am taking in the present petition, I do not deem it appropriate to issue notice to the respondents as the same would unnecessarily delay not only disposal of the present petition but the suit as well.

3. The only contention raised by learned counsel for the petitioner/defendant is that on the date fixed for leading evidence of the petitioner/defendant, she had even reached the court, however, on receiving information about unfortunate death of his brother in a road accident, she had to rush to Amritsar and in such situation, she could not lead her evidence. The circumstances, which led to non appearance of petitioner/defendant for her examination or production of evidence is certainly beyond her control. Accordingly, I grant one opportunity to the petitioner/defendant for producing her entire evidence on the date to be fixed by the trial Court for the purpose. The petitioner/defendant will be at liberty to take help of the Court to summon the witnesses. However, it is made clear that no further opportunity shall be granted to the petitioner-defendant in case, she fails to complete her evidence on the date fixed.

4. The revision petition is disposed of in the manner indicated above.

October 04, 2007 **(Rajesh Bindal)**
Pka **Judge**